

LS-1967
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Chief, Administration, DD/P

8 December 1952

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Office of the General Counsel

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[REDACTED] - Exception to [REDACTED]

REFERENCE : (a) Memorandum from Chief, Operations Division/PP, dated 27 October 1952, subject as above.
(b) Memorandum from Chief, FE to Deputy Director (Administration), dated 21 July 1952, same subject.

1. Reference (a) was referred to this office for comment with respect to the requests contained therein for approval of a representation allowance under Confidential Funds Regulation [REDACTED] and entertainment allowance under Confidential Funds Regulation [REDACTED]

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2. This office can perceive no legal objection to the approval

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3. Reference (a) requests approval of an "allowance" under [REDACTED] to cover [REDACTED]

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[REDACTED] expenses of entertaining United States Government officials. It has become well established by repeated decisions of the Comptroller General that expenses incurred in entertainment of United States officials are not properly obligations to be assumed by this Government. This stems from recognition of the theory that it is part of the duties of any United States official to help other United States officials in the performance of their business and consequently, additional inducement is unwarranted. We therefore believe that an exception to the provisions of [REDACTED] would be improper in this situation.

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4. Paragraph 4 of Reference (a) calls attention to a letter of instructions to [REDACTED] dated 17 October 1951 and signed by Colonel [REDACTED] then AD/FC, expressly extending permission "to expend moderate amounts of operational funds in entertainment of appropriate United States officials when this will further your confidential Mission." It is apparent that this instruction contemplated

25X1A
that [REDACTED] would incur some expense in the field of entertainment in the development of his cover and implementation of his project plans, and that he could expect reimbursement from operational funds in reasonable amounts. It is our opinion that the references recite facts tending to support an operational theory for reimbursement for at least a portion of the expenses Hyman has incurred.

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[REDACTED]

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Attachments - Subject [REDACTED]

OGC/GMK:irm:agf

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-2-

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ORIGINAL DOCUMENT MISSING PAGE(S):

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